

ORDINANCE
CITY OF SAINT PAUL, MINNESOTA

16

Presented by _____

An interim ordinance adopted pursuant to Minnesota Statute § 462.355, Subd. 4. Preserving the status quo with respect to single-family and two-family residential building permits pending the completion of studies of possible amendments to the City's official controls which would establish design standards for the construction of new single-family and two-family residential structures.

THE COUNCIL OF THE CITY OF SAINT PAUL DOES HEREBY ORDAIN:

Section 1.

Statements of Legislative Intent and Council Findings: The City Council, under Council File No. 09-63, has requested the planning commission to undertake a study of design standards for the construction of single-family and two-family residential dwellings because the City's zoning code lacked authority to impose design standards on building permit applications. The Council has made its legislative statement of intent and findings supporting the need for the interim ordinance and the Council hereby incorporate those same statements and findings into this interim ordinance by reference. Accordingly, based upon the said statements and findings, the Council finds that there exists an immediate need to preserve the status quo with respect to the construction of single-family and two-family dwellings in order to protect the general health, welfare and safety of the public pending the completion of the design standards report by the planning commission. Therefore, the Council desires to immediately institute the following design standards for construction of one-family and two-family residential structures until such time as the aforementioned planning commission study has been completed and the Council has taken action on the recommendation contained therein by amending, if necessary, the official controls of the City.

Section 2.

Pending completion of the said zoning study and any recommendations to adopt amendments to the City's official controls and the Council's enactment of them if any and as provided by Minn. Stat. § 462.355, Subd. 4, the following regulations for design standards for the regulation of single-family and two-family residential structures shall be enforced as follows:

A. Applicants for building permits for single-family and two-family residential structures shall abide by the following regulations which, for the purposes of constructing such structures, shall supersede current regulations applied to such structure permits under the following sections of the zoning code: Leg. Code §§ 61.401 and 63.110.

43 1. **Sec. 61.401. Site plan review generally.**

44 A site plan shall be submitted to and approved by the zoning administrator before building permits are
45 issued for new buildings or building expansions. Building permit applications for new buildings or
46 building expansions shall be accompanied by a site plan and building elevations drawn to scale and
47 showing the following:

- 48
- 49 (1) The actual shape, location and dimensions of the zoning lot.
 - 50 (2) The shape, size and location of all buildings or other structures to be erected, altered, or moved and
51 of any building or other structures already on the zoning lot.
 - 52 (3) The existing and intended use of the zoning lot and of all such structures upon it, including, for
53 residential uses, the number of dwelling units the building is intended to accommodate.
 - 54 (4) Such other information concerning the zoning lot or adjoining lots as may be determined by the
55 zoning administrator as essential for determining whether the provisions of this code are being
56 observed.
- 57

58 2. **Sec. 63.110. General design standards.**

59 The following design standards shall be used unless the applicant can demonstrate that there are
60 circumstances unique to the property that makes compliance impractical or unreasonable.

- 61
- 62 (a) Primary entrances on principal structures shall face the primary abutting public street or be linked
63 to that street by a clearly defined and visible walkway or courtyard. Additional secondary
64 entrances may be oriented to a secondary street or parking area. Primary entries shall be clearly
65 visible and identifiable from the street, and delineated with elements such as roof overhangs,
66 recessed entries, landscaping, or similar design features. Any sides of building facing an abutting
67 public street should use the same building materials and other architectural treatments as principal
68 facades.
 - 69
 - 70 (b) New development should relate to the design of adjacent traditional buildings, where these are
71 present, in scale and character. This can be done through such means as similar setbacks, facade
72 divisions, roof lines, rhythm and proportions of openings, building materials and colors. Historic
73 architectural styles need not be replicated.
 - 74
 - 75 (c) Residential uses at street level shall generally be set back far enough from the street to provide a
76 yard area between the public sidewalk and the front door. Landscaping, steps, porches, grade
77 changes, and low ornamental fences or walls may be used to provide increased privacy and
78 livability for first floor units.
 - 79
 - 80 (d) For principal residential buildings, above grade window and door openings shall comprise at least
81 ten (10) percent of the total area of all exterior walls and ~~twelve (12)~~ fifteen (15) percent of the total
82 area of exterior walls (excluding the area of garage doors) facing a public street or sidewalk.
 - 83
 - 84 (e) For residential parking, the following standards shall apply:
 - 85
 - 86 (1) Off-street parking spaces shall not be located within a front yard or non-interior side yard.
87 Except in the rear yard, garages that face and front on a public street shall be set back from
88 abutting public streets at least as far as the principal structure (in the case of attached

garages, this refers to the non-garage part of the principle structure) and garage doors shall not exceed sixty (60) percent of the width of the principal structure. Except in the rear yard, garage doors facing a public street shall be no more than nine (9) feet in height.

(2) For one-family through four-family and townhouse dwellings, access to off-street parking shall be from an abutting improved alley when available. On corner lots, access to parking in the rear yard may be from the side street.

(3) For one-family through four-family dwellings, and for townhouses with garage doors that face and front on a public street, driveways in front yards shall be no more than twelve (12) feet in width. A driveway apron up to four (4) feet wider than the garage door may extend thirty (30) feet from the garage before reducing to a width of twelve (12) feet.

(f) The number of curb cuts shall be minimized, and shared curb cuts for adjacent parking areas are encouraged.

B. For the purposes of consistency with the purpose and intent of the interim ordinance, Leg. Code § 63.316 shall be read as set forth below:

1. **Sec. 63.316. Paving.**

All parking spaces, driveways and off-street parking facilities shall be paved with asphalt or other durable, dustless surfacing, or of material comparable to the adjacent street surfacing, in accordance with other specifications of the zoning administrator. The parking area shall be paved within one (1) year of the date of the permit except as provided in section 61.402(e). The total amount of surface parking for one-family and two-family dwellings shall not exceed fifteen (15) percent of the lot area.

Section 3.

Effective Date of Interim Ordinance Imposing Single-Family/Two-Family Design Standards:

This interim ordinance shall take effect and be in force 30 days from and after its passage approval and publication. The effective date of this interim ordinance shall be as of the effective date of the resolution under Council File No. _____ which creates the basis for this interim ordinance and, for the purposes of calculating time under Minn. Stat. § 462.355, Subd.4, shall also constitute the actual effective date of the interim ordinance.

Section 4.

Notice to City Departments: The clerk shall deliver a copy of this interim ordinance to the planning administrator, the zoning administrator and the planning commission.

	Yeas	Nays	Absent
Bostrom			
Carter			
Harris			
Helgen			
Lantry			
Stark			
Thune			

Adopted by Council: Date _____

Adoption Certified by Council Secretary

By: _____

Approved by Mayor: Date _____

By: _____

Requested by Department of:

By: _____

Approved by the Office of Financial Services

By: _____

Approved by City Attorney

By: P.W. Warner 1-14-09

Approved by Mayor for Submission to Council

By: _____